

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

LISA J. NOWAK,

Plaintiff,

v.

ENCOMPASS INDEMNITY
COMPANY,

Defendant.

C21-5793 TSZ

MINUTE ORDER SETTING
TRIAL DATE AND RELATED
DATES

JURY TRIAL DATE

March 6, 2023

Length of Trial

5–10 days¹

Deadline for joining additional parties

January 25, 2022

Deadline for amending pleadings

August 15, 2022

Disclosure of expert testimony under FRCP
26(a)(2)

August 15, 2022

All motions related to discovery must be filed by
and noted on the motion calendar no later than
the third Friday thereafter (see LCR 7(d))

October 6, 2022

¹ The Court DEFERS ruling on whether to bifurcate trial for Plaintiff's UIM claims and extracontractual claims.

Discovery completed by November 14, 2022

All dispositive motions must be filed by December 15, 2022
and noted on the motion calendar no later than
the fourth Friday thereafter (see LCR 7(d))

All motions related to expert witnesses (e.g., a
Daubert motion) must be filed by December 22, 2022
and noted on the motion calendar no later than
the third Friday thereafter (see LCR 7(d))

All motions in limine should be filed by February 2, 2023
and noted on the motion calendar no later than
the Friday before the Pretrial Conference (see
LCR 7(d)(4))

Agreed Pretrial Order due² February 17, 2023

Trial Briefs, proposed voir dire questions, and
jury instructions due February 17, 2023

Pretrial conference to be held at **10:00 AM** on February 24, 2023

These dates are set at the direction of the Court after reviewing the joint status
report and discovery plan submitted by the parties. All other dates are specified in the
Local Civil Rules. These are firm dates that can be changed only by order of the Court,
not by agreement of counsel or the parties. The Court will alter these dates only upon
good cause shown: failure to complete discovery within the time allowed is not
recognized as good cause.

As required by LCR 37(a), all discovery matters are to be resolved by agreement if
possible. Counsel are further directed to cooperate in preparing the final pretrial order in
the format required by LCR 16.1.

² The Agreed Pretrial Order shall be filed in CM/ECF and shall also be attached as a Word
compatible file to an e-mail sent to the following address: ZillyOrders@wawd.uscourts.gov.

1 Notwithstanding Local Civil Rule 16.1, the exhibit list shall be prepared in table
2 format with the following columns: "Exhibit Number," "Description," "Admissibility
3 Stipulated," "Authenticity Stipulated/Admissibility Disputed," "Authenticity Disputed,"
4 and "Admitted." The latter column is for the Clerk's convenience and shall remain
5 blank, but the parties shall indicate the status of an exhibit's authenticity and
6 admissibility by placing an "X" in the appropriate column. Duplicate documents shall
7 not be listed twice; once a party has identified an exhibit in the pretrial order, any party
8 may use it.

9 The original and one copy of the trial exhibits are to be delivered to the courtroom
10 at a time coordinated with Gail Glass, who can be reached at (206) 370-8522, no later
11 than the Friday before the trial. Each set of exhibits shall be submitted in a three-ring
12 binder with appropriately numbered tabs. Each exhibit shall be clearly marked.
13 Plaintiff's exhibits shall be numbered consecutively beginning with 1; defendant's
14 exhibits shall be numbered consecutively beginning with the next multiple of 100 after
15 plaintiff's last exhibit; any other party's exhibits shall be numbered consecutively
16 beginning with the next multiple of 100 after defendant's last exhibit. For example, if
17 plaintiff's last exhibit is numbered 159, then defendant's exhibits shall begin with the
18 number 200; if defendant's last exhibit is number 321, then any other party's exhibits
19 shall begin with the number 400.

20 Counsel must be prepared to begin trial on the date scheduled, but it should be
21 understood that the trial might have to await the completion of other cases. Should this
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1 case settle, counsel shall notify Judge Zilly's Chambers at (206) 370-8830 as soon as
2 possible.

3 The Clerk is directed to send a copy of this Minute Order to all counsel of record.

4 Dated this 28th day of December, 2021.

5 Ravi Subramanian

6 Clerk

7 s/Gail Glass

8 Deputy Clerk
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